

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Texas

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(1)(3)(A), (B) and (C) of the Act	<p>c. For pregnant women covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard.</p> <p>— Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard under the SSI program:</p> <p>XXX No. The agency does not apply a resource standard to these individuals.</p> <p>For infants covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard.</p> <p>XXX Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p>— No. The agency does not apply a resource standard to these individuals.</p>
1902(1)(3)(A) and (C) of the Act	<p>d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard.</p> <p>XXX Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p>— No. The agency does not apply a resource standard to these individuals.</p>

TN No. 92-10
Superseded
TN No. 91-35

Approval Date

APR 29 1992

Effective Date

APR 01 1992

STATE	<u>Texas</u>	A
DATE REC'D	<u>APR 09 1992</u>	
DATE APV'D	<u>APR 29 1992</u>	
DATE CFP	<u>APR 01 1992</u>	
DATE CFP	<u>92-10</u>	

State: Texas

Citation	Condition or Requirement
1902(1)(3)(A) and (C) of the Act	<p>e. For children covered under the provisions of section 1902(a)(10)(A)(i)(VII) of the Act, the agency applies a resource standard.</p> <p><u>XXX</u> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p>— No. The agency does not apply a resource standard to these individuals.</p>
1902(m)(1)(C) and (m)(2)(B) of the Act	<p>f. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:</p> <p>— Same as SSI resource standards.</p> <p>— Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).</p> <p><u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource levels for these individuals.</p>

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TN No.

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STATE <u>Texas</u>	
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DATE APP'D <u>APR 29 1992</u>	
DATE EFF <u>APR 01 1992</u>	
HCFA 179 <u>92-10</u>	A

State: Texas

Citation

Condition or Requirement

7. Resource Standard - Medically Needy

1902(a)(10)(C)(i)
of the Act

a. Resource standards are based on family size.

b. A single standard is employed in determining resource eligibility for all groups.

c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for--

— Aged
— Blind
— Disabled

Supplement 2 to ATTACHMENT 2.6-A specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., Supplement 2 so indicates.

1905(p)(1)(D)
and (p)(2)(B)
of the Act

8. Resource Standard - Qualified Medicare Beneficiaries and Specified Low-Income Medicare Beneficiaries

For qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act and specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, the resource standard is twice the SSI standard.

1905(s) of the
Act

9. Resource Standard - Qualified Disabled and Working Individuals

For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource standard.

STATE <u>Texas</u>	
DATE REC'D <u>JUN 30 1993</u>	
DATE APP'D <u>AUG 06 1993</u>	
DATE EX <u>APR 01 1993</u>	
HCFA 177 <u>93-18</u>	A

TN No. 93-18

Superseded 91-34

TN No. 91-34

Approval Date

AUG 06 1993

Effective Date

APR 01 1993

2.6A

CONTACT REPORT (Use Ink or Typewriter)

CONTACT Josh Bill		DATE 3/22/83	COPIES ROUTED TO
ORGANIZATION OS, DHHS Washington, D. C.	PHONE 8-245-7485	TIME 4:15 P.M.	
		<input checked="" type="checkbox"/> PHONE <input type="checkbox"/> PERSONAL	
		(Check applicable box) <input type="checkbox"/> CONTRACT FILE <input type="checkbox"/> INTERMEDIARY FILE <input checked="" type="checkbox"/> OTHER (Specify) Texas State Plan	
SUBJECT Eligibility of Stephanie Garcia for the Texas Medicaid Program			

RESUME

Josh Bill, in response to an inquiry from the White House, called John Dav Regional Director of DHHS, about Medicaid eligibility for Stephanie Garcia. is a two-month old baby in John Sealy Hospital in Galveston who needs a bone-marrow transplant. The hospitals where this can be done (University of Minnesota and Slo ettering in New York) will not accept her without assurance of payment. Medicaid eligibility had not been established. Information from the baby's doctor is that time is critical and Thursday, March 24, is the deadline for getting her into one of the hospitals.

In response to this critical situation, the Commissioner of Texas DHR obtained statements from the parents of Stephanie Garcia and from John Sealy Hospital that claims will not be made for medical assistance under Title XIX prior to March 24, 1983. This action permits TDHR to start a spell of illness on March 24 with the full range of benefits available from that date forward. In anticipation of an expensive surgery to be performed in the University of Minnesota Hospital in late March, the Department has projected that Texas Medicaid will bear at least 50% of the entire cost for March service.

ACTIONS REQUIRED

This contact report should be permanently filed with the Texas State Medicaid Plan. This would preclude any question of Federal financial participation in payments made in behalf of Stephanie Garcia in accordance with the procedures herein described. The State's action was in response to a request from the White House (Dave Wright through Josh Bill).

PREPARED BY	PHONE EXTENSION 729-6441	ORGANIZATION DESIGNATION DHHS-HCEA BUILDING AND ROOM NO.	FOLLOW-UP DATE PAGE 1 OF 2
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CONTACT REPORT
(Use Ink or Typewriter) (CONTINUED)

CONTACT Josh Bill		DATE 3/22/83	COPIES ROUTED TO
ORGANIZATION OS, DHHS Washington, D. C.	PHONE 8-245-7485	TIME 4:15 P.M.	
		<input checked="" type="checkbox"/> PHONE <input type="checkbox"/> PERSONAL	
SUBJECT		(Check applicable box) <input type="checkbox"/> CONTRACT FILE <input type="checkbox"/> INTERMEDIARY FILE <input checked="" type="checkbox"/> OTHER (Specify) Texas State Plan	

RESUME

provided in public hospitals. This eliminates the prohibition against SSI eligibility for individuals in public institutions and permits SSA to certify eligibility.

Although this process of establishing eligibility with only a prospective scope of benefits is unusual, it should pose no FFP problem so far as HCFA is concerned.

retroactive eligibility three months prior to the date of application is required only where the individual received Medicaid services during that period, of a type covered under the plan (42 CFR 435.914). In this case, where claims for payment have been waived, in effect, no such services were received.

The process and criteria for determining whether a procedure is "experimental" is left to the State. So long as the services are within the broad definition of physician and hospital services in 42 CFR 440, Subpart A and in the State plan, no FFP question should arise.

ACTIONS REQUIRED

o Marlin Johnston via route slip 3/24/83 (mh)

" CR 4 3/25/83 mh

PREPARED BY

[Signature]

PHONE EXTENSION

700 6447

ORGANIZATION
DESIGNATION
DHHS-HCFA

BUILDING AND ROOM NO.

FOLLOW-UP DATE

State/Territory: Texas

Citation	Condition or Requirement
1902(u) of the Act	9.1 For COBRA continuation beneficiaries, the resource standard is: — Twice the SSI resource standard for an individual. — More restrictive standard as applied under section 1902(f) of the Act as described in Supplement 8 to Attachment 2.6-A.

TN No. 92-12

Supersedes

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TN No. none - new page

HCFA ID: 7985E

STATE <u>Texas</u>	A
DATE REC'D <u>MAR 31 1992</u>	
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DATE EFF <u>JAN 01 1992</u>	
HCFA 179 <u>92-12</u>	

State: Texas

Citation	Condition or Requirement
1902(u) of the Act	10. Excess Resources <ul style="list-style-type: none">a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries<p>Any excess resources make the individual ineligible.</p>b. Categorically Needy Only<p><u>XXX</u> This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.</p>c. Medically Needy<p>Any excess resources make the individual ineligible.</p>

STATE <u>Texas</u>	A
DATE REC'D <u>JUN 30 1993</u>	
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TN No. 93-18
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TN No. 91-34

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Texas

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1920(b)(1) of the Act	<u>XXX</u> (3) For a presumptive eligibility <i>period</i> for pregnant women only. Coverage is available for ambulatory prenatal care for the period that begins on the day a qualified provider determines that a woman meets any of the income eligibility levels specified in <u>ATTACHMENT 2.6-A</u> of this approved plan. If the woman files an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination of presumptive eligibility, the period ends on the day that the State agency makes the determination of eligibility based on that application. If the woman does not file an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination, the period ends on that last day.
1902(e)(8) and 1905(a) of the Act	<u>XXX</u> b. For qualified Medicare beneficiaries defined in section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under section 1905(p)(1). The eligibility determination is valid for-- <u>XX</u> 12 months — 6 months — months (no less than 6 months and no more than 12 months)

STATE <u>Texas</u>	A
DATE REC'D <u>APR 09 1992</u>	
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ATTACHMENT 2.6-A
Page 25(a)

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Texas

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.914 and Sec. 204 of P.L. 104-193	<u>XXX</u> c. For certified SSI clients, coverage begins the month prior to the first SSI payment month and would be available for the two preceding months if the individuals would have been eligible had they applied under 435.914

STATE <u>TX</u>	A
DATE REC'D <u>9-29-97</u>	
DATE APVD <u>12-8-97</u>	
DATE EFF <u>7-1-97</u>	
HCLA 179 <u>97-14</u>	

TN No. 97-14
Supersedes new
Approval Date 12-8-97
Effective Date 7-1-97

Citation	Condition or Requirement
1902(a)(18) and 1902(f) of the Act	<p>12. Pre-OBRA 93 Transfer of Resources - Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals</p> <p>The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.</p> <p>Disposal of resources at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9 to Attachment 2.6-A</u>.</p>
1917(c)	<p>13. Transfer of Assets - All eligibility groups</p> <p>The agency complies with the provisions of section 1917(c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.</p> <p>Disposal of assets at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9(a) to ATTACHMENT 2.6-A</u>, except in instances where the agency determines that the transfer rules would work an undue hardship.</p>
1917(d)	<p>14. Treatment of Trusts - All eligibility groups</p> <p>The agency complies with the provisions of section 1917(d) of the Act, as amended by OBRA 93, with regard to trusts.</p> <p>_____ The agency uses more restrictive methodologies under section 1902(f) of the Act, and applies those methodologies in dealing with trusts;</p> <p><u>X</u> The agency meets the requirements in section 1917(d)(f)(B) of the Act for use of <u>Miller</u> trusts.</p> <p>The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in <u>Supplement 10 to ATTACHMENT 2.6-A</u>.</p>

STATE <u>Texas</u>	A
DATE REC'D <u>MAR 29 1995</u>	
DATE APP'VD <u>MAY 04 1995</u>	
DATE EFF <u>JAN 01 1995</u>	
HCFA 179 <u>95-11</u>	

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Supersedes _____ Approval Date MAY 04 1995 Effective Date JAN 01 1995
TN No. SUPERSEDES TN: 93-43